

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	
- v. -	:	<u>ORDER</u>
	:	
LELAND ROBINSON,	:	20 Cr. 448 (KMK)
	:	
Defendant.	:	
	:	
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On or about September 25, 2020, this Court issued an Order, pursuant to Title 18, United States Code, Sections 4241(b), 4247(b) and 4247(c), directing a qualified examiner (“Examiner”) to conduct a psychiatric and/or psychological examination of LELAND ROBINSON to determine his competency to stand trial and his competency to represent himself. On or about February 25, 2021, the Examiner issued a report (“Report-1”) to the Court. Report-1 concluded that LELAND ROBINSON did not present with a Mental Disease or Mental Defect. Report-1 further concluded that LELAND ROBINSON “currently does possess a rational and factual understanding of the proceedings against him, does have the capacity to assist legal counsel in his defense, and can rationally make decisions regarding legal strategy.”

On June 28, 2021, the Court issued an Order directing the Examiner to provide an additional report to the Court that more fully addressed the question of LELAND ROBINSON’s competency to represent himself throughout the proceedings in this case;

On July 28, 2021, the Bureau of Prisons (“BOP”) submitted a letter to the Court from the Examiner indicating the Examiner’s view that an additional report would not provide the Court with additional useful information because Report-1 had already addressed the relevant issues;

On August 2, 2021, the Court stated that the Examiner’s letter of July 28, 2021 was not entirely responsive because the Court wanted the Examiner to consider the defendant’s statements at the last court conference as well as his recent *pro se* filings;

On August 17, 2021, BOP advised the Government that the Examiner had requested that a new study be completed with the new information and requested that the Court issue a new Order directing a new study to occur;

Accordingly, it is hereby ORDERED, pursuant to Title 18, United States Code, Sections 4241(b), 4247(b) and 4247(c), that the defendant LELAND ROBINSON be transferred to a suitable Bureau of Prisons facility that performs psychiatric and/or psychological examinations to determine whether the defendant is suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense or to represent himself at trial, and for any necessary treatment; and it is further

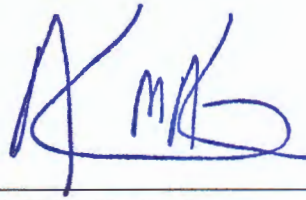
ORDERED, pursuant to Title 18, United States Code, Section 4247(b), that a qualified examiner conduct a psychiatric and/or psychological examination at a suitable BOP facility and that such examination should focus on LELAND ROBINSON's competency to represent himself at trial and should consider LELAND ROBINSON's statements at the June 8, 2021 court conference in this matter and his recent *pro se* filings; and it is further

ORDERED, pursuant to Title 18, United States Code, Section 4247(b), that the examination of the defendant LELAND ROBINSON be completed within thirty (30) days of the defendant's arrival at the suitable BOP facility; and it is further

ORDERED, pursuant to Title 18, United States Code, Section 4247(c), that, within a reasonable time following the conclusion of the examination, BOP shall submit a report by the examiner to the Court with copies provided to defense counsel Francis O'Reilly, Esq., O'Reilly & Shaw, 41 Unquowa Place, Fairfield, Connecticut 06824, and Assistant United States Attorney Marcia S. Cohen, 300 Quarropas Street, White Plains, New York 10601; and it is further

ORDERED that the Clerk of the Court serve a copy of this Order upon the United States Marshal Service for the Southern District of New York and the Bureau of Prisons.

Dated: White Plains, New York
August 24, 2021

A handwritten signature in blue ink, appearing to read 'KMK', is written above a horizontal line.

KENNETH M. KARAS
UNITED STATES DISTRICT JUDGE